Lactation Policies for Employees

The University of North Carolina at Chapel Hill
Prepared by the Carolina Women’s Center & Committee on the Status of Women
INTRODUCTION

The University of North Carolina at Chapel Hill is committed to supporting employees with children, including nursing mothers who want to lactate at work. Not all women want to or can breastfeed, but many mothers do, as recommended by the American Academy of Pediatrics (AAP).¹ Some combine breastfeeding with formula feeding by nursing before and after work and on their days off.

In line with federal and state regulations, UNC-CH has a policy to support breastfeeding in the workplace. This toolkit provides information on the health and business benefits of breastfeeding, about UNC-CH’s policies and mandates around lactation spaces, and on ways for both supervisors and employees to balance work with the right to lactate.

LACTATION IN THE WORKPLACE

FEDERAL, STATE, AND UNIVERSITY LACTATION POLICIES

In compliance with the 2010 Affordable Care Act and the subsequent North Carolina Office of State Human Resources’ Lactation Support policy², UNC adopted its Lactation Support Policy in March 2010.³ The ACA includes three major provisions to support breastfeeding that impact UNC and its employees⁴:

1. Workplaces must allow nursing mothers a “reasonable break time” to nurse or express milk for up to one year after the birth of the child.
2. Employers of 50 or more people must provide a private, secure, non-bathroom space for mothers to nurse or express milk.
3. All ACA-compliant health insurance plans (non-grandfathered plans) must cover the costs of breast pumps, whether through rental or purchase. Two of UNC’s health plan options—the Consumer Directed Health Plan and the Enhanced 80/20 Plan—meet ACA mandates. The Basic 70/30 Plan is grandfathered and does not cover breast pumps.

Everyone in the workplace should be familiar with the University and OSHR policies. Employees should also feel confident and comfortable bringing the policy to the attention of their supervisors. Together, supervisors and employees can discuss how they can most effectively balance the employee’s work responsibilities with the right to breastfeed or express milk. The Program Coordinator for Faculty and Staff with the Carolina Women’s Center can also help both employees and supervisors consider how to approach the

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¹ [www.aap.org/healthtopics/breastfeeding.cfm](http://www.aap.org/healthtopics/breastfeeding.cfm). The AAP and the American Association of Family Physicians recommend that mothers breastfeed their infants until at least twelve months old. Many women choose not to or are unable to breastfeed. We recognize and support the full range of parenting and strive to make UNC family friendly for all families.
discussion and find a solution.

An updated list of lactation rooms’ locations—plus much more—is on the Parenting@UNC website. UNC is also working to create more designated rooms to meet the recommendations of the UNC Lactation Rooms Working Group Report (2011-2012).

LACTATION SPACES AND ROOMS

The sections below detail how to meet the mandates of the ACA, the OSHR, and UNC’s policies.

TIME

On average, nursing mothers need to express breast milk approximately every three hours during the workday. The UNC Lactation Policy, in compliance with the ACA, mandates that supervisors must allow “reasonable break time” for lactation. Employees may use their paid regular breaks and lunch breaks for pumping; extra time needed for breastfeeding or lactation is unpaid leave time.

SPACE

If there is not an existing lactation room within a 2-minute walk of the work site, the supervisor or employee should contact the Program Coordinator for Faculty and Staff at the Carolina Women’s Center. The Program Coordinator can help identify an appropriate permanent or temporary space.

Modifying facilities to accommodate a designated Lactation Space is fairly simple and can be inexpensive. At minimum, a lactation room must be ADA-compliant. It must have

- dimensions of at least 8’ x 10’,
- a sink with, or be close to (within 250’) a source of, hot running water,
- an easily accessible electrical outlet,
- a chair,
- a table or desk that can be used as a pumping station, and
- a lockable door, and curtains or blinds as necessary, for privacy.

The UNC Lactation Rooms Working Group Report (2011-2012) provides greater detail

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5 http://womenscenter.unc.edu/resources/parenting/.  
6 UNC’s break periods policy encourages, “as operational requirements permit and working conditions warrant, management [to] allow employees to take one 15-minute paid break during any work period of four consecutive hours. … as deemed necessary for safety and health reasons, management may allow more than one break period per four hours as needed or require break periods at specific times of the day. Break periods are counted as work time.” See http://hr.unc.edu/policies-procedures-systems/spa-employee-policies/wage-hour/wage-hour-definitions/-Break_Periods.
about UNC’s standards for and categories of lactation facilities and the minimum requirements for each (see Appendix A), discussed in more detail below.

If creating a dedicated lactation room is not possible, there are a number of feasible temporary alternatives. Each of the following options should meet the requirements for a designated space (above).

- A conference room that can be locked from the inside, reserved in blocks for lactation,
- An unused classroom or seminar room that can be locked from the inside,
- An empty office,
- A lounge or break room that can be locked from the inside that can be reserved, or
- An office borrowed from a colleague. (Because of the inconvenience to the office’s occupant and the unease it may cause the mother, this should a last resort.)

Other options may be available, but as per federal law, a bathroom is not an acceptable lactation facility and a breastfeeding mother may NOT be expected or required to use a restroom.

**Security**

The door should have an internal door lock. Depending on where it is located, a UNC lactation room may have one of three external locks.

- In buildings frequently used by visitors (e.g., Morehead Planetarium, Student Union, NC Botanical Garden): key or code obtained from the building’s reception desk.
- In secure buildings that require permission to access even during normal business hours:
  - In single unit buildings (e.g., Development), unlocked when not in use with an internal privacy lock.
  - In buildings housing multiple units (e.g., Lineberger Cancer Center), OneCard access.
- Lactation rooms in open access buildings (e.g., classroom buildings): OneCard or code access.

***For access to lactation rooms with your OneCard or a key code, please email lactation@unc.edu. Requesting OneCard access enables users to access all lactation rooms with OneCard locks.***

These locks ensure that only appropriate users have access to lactation rooms.

Additionally, the room should not contain any kind of security camera equipment.
FURNITURE
The room should have a table, a comfortable chair, and a trashcan.

SUPPLIES
Anti-bacterial soap (to clean equipment after use)
Paper towels
Door sign to indicate room in use (see Appendix C)
Sign with contact information to report housekeeping and other issues (see Appendix D)
Bulletin board (optional)

ROOM POINT OF CONTACT
The Carolina Women’s Center is the main of Point of Contact for all lactation rooms, but buildings may designate an employee to field daily maintenance responsibilities, such as cleaning. Contact information for the CWC POC and Housekeeping should be prominently displayed (see Appendix D). If the building chooses to designate an additional POC, their contact information should be added to the sign.

HOSPITAL GRADE BREAST PUMP (optional)
Because the ACA mandates that all non-grandfathered insurance plans cover the cost of individual breast pumps and because of the requirements for adequately cleaning the pumps, University lactation rooms are not equipped with Hospital Grade Pumps. The State Health Basic 70/30 Plan does not meet ACA coverage requirements, including not covering the purchase or rental of a breast pump. You must be enrolled in the Enhanced 80/20 Plan to be eligible for a free breast pump. For more information and to learn how to obtain a breast pump, please contact the North Carolina State Health Plan at 855-859-0966.7

Through the Office of Human Resources Work/Life unit, HR offers Ameda Breastpumps for a significant discount.8 For more information, please contact the Benefits Office at 919-843-2300 or benefits@unc.edu.

HOUSEKEEPING
The UNC Lactation Rooms Working Group Report (2011-2012) includes a detailed description of the standards and practices Housekeeping follows for lactation rooms. Please see Appendix B. Housekeeping is aware of these responsibilities, and the Contact Information sign (Appendix D) includes the number for the Director of Housekeeping Services. In the case of new lactation rooms, the Director can assist with introducing new duties to the Housekeeping staff’s schedule.

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7 http://www.shpnc.org/
8 hr.unc.edu/files/2012/11/CCM3_031896.pdf
WHAT SHOULD BREASTFEEDING FACULTY AND STAFF DO?

All employees can do the following:

• **Educate yourself** about the [university policy](http://hr.unc.edu/policies-procedures-systems/spa-employee-policies/worklife-and-wellness/lactation-support/#Policy) for breastfeeding.⁹
• **Support colleagues** who breastfeed.
• **Before going on parental leave:**
  o Consider whether you plan to breastfeed and how to incorporate lactation into your work day.
  o **Discuss accommodations with your supervisor or chair:** what will you need and how can you balance your work responsibilities with your right to lactation?
    ▪ If your job duties allow, could you take advantage of UNC’s [flexible work policy](http://hr.unc.edu/policies-procedures-systems/spa-employee-policies/employment/flexible-work-arrangements-for-spa-and-epa-non-faculty-employees/)? There are a number of ways to use the policy. You could return to work part-time initially, work from home for a period or work from home 1-2 days a week temporarily. You might also consider requesting the option to come in earlier or leave later to accommodate your feeding schedule.
    ▪ Can you start back on a Thursday or Friday so that you have a gentler return to work?
    ▪ How will your lactation breaks impact scheduling meetings or other responsibilities?
  o **Locate the closest lactation room.** If there is not one within a 2-minute walk, would it be possible to create a lactation room in your unit? If it is not possible to create a dedicated lactation space, is there a private office or conference room you could reserve 2-3 times a day? The Carolina Women’s Center, in collaboration with Facilities, can help you identify a range of solutions. (Remember: per ACA federal law, a supervisor cannot expect or require a nursing mother to use a bathroom or public space for lactation.)
  o **Consider where you will store expressed milk:** Is there an employee fridge in which you could store expressed milk, or will you need to bring a cooler to work?
  o **Practice using the breast pump at home** until you are comfortable with it.
• **Upon your return to work:**
  o **Provide your supervisor or chair with a letter of support** for breastfeeding from your healthcare provider (doctor, midwife, lactation specialist, or nurse), such as the example [here](http://www.workandpump.com/letter.htm).¹¹ This is not required, but it supports your claim.
  o **Keep your supervisor informed** about your needs and how the accommodations are working.
  o **Raise proactively any questions** about a potential need to change or revise your accommodations.
  o **Address concerns with co-workers directly**, as they arise.

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 *For example*, make sure that co-workers know that breaks are allowed and that you are still responsible for the work.

- Alert the organizers of events you will need accommodation for lactation ahead of time (e.g., conference, workshop, retreat, appreciation day).
## CONTACT INFORMATION AND ADDITIONAL RESOURCES

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<th>Information about:</th>
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<th>Contact or access</th>
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<tr>
<td>Lactation, parental leave, and gender equity policies and resources:</td>
<td>Carolina Women's Center</td>
<td>919-962-8305&lt;br&gt; <a href="mailto:cw@unc.edu">cw@unc.edu</a> or <a href="mailto:lactation@unc.edu">lactation@unc.edu</a>&lt;br&gt; <a href="http://womenscenter.unc.edu/">http://womenscenter.unc.edu/</a>&lt;br&gt; Parenting@UNC: <a href="http://womenscenter.unc.edu/resources/parenting/">http://womenscenter.unc.edu/resources/parenting/</a></td>
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<td>Assistance with housekeeping issues:</td>
<td>Herb Richmond, Director of Housekeeping Services</td>
<td>919-962-1440&lt;br&gt; <a href="mailto:Herb.Richmond@facilities.unc.edu">Herb.Richmond@facilities.unc.edu</a></td>
</tr>
<tr>
<td>For the previous lactation policy and guidelines:</td>
<td>Chancellor’s Child Care Advisory Committee. “Lactation Space: A Tool Kit for Department’s and Managers.” University of North Carolina at Chapel Hill. 2008.</td>
<td></td>
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<tr>
<td>UNC breastfeeding support resources:</td>
<td>Carolina BEBES</td>
<td><a href="http://breastfeeding.sph.unc.edu/take-action/carolina-bebes/">http://breastfeeding.sph.unc.edu/take-action/carolina-bebes/</a></td>
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<td>Carolina Global Breastfeeding Initiative (School of Public Health)</td>
<td><a href="http://breastfeeding.sph.unc.edu/">http://breastfeeding.sph.unc.edu/</a></td>
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### Federal and National Information and Resources

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<tr>
<td></td>
<td>Fact sheet #73: Break Time for Nursing Mothers under the FLSA. <a href="http://www.dol.gov/whd/regs/compliance/whdfs73.htm">http://www.dol.gov/whd/regs/compliance/whdfs73.htm</a></td>
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